

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

No. 07-294V

Filed: February 3, 2009

Not to be published.<sup>1</sup>

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HELEN ZALOUDEK, \*  
\*  
\*  
Petitioner, \* Vaccine Act Attorneys' Fees  
\*  
v. \*  
\*  
SECRETARY OF HEALTH AND \*  
HUMAN SERVICES, \*  
\*  
Respondent. \*  
\*\*\*\*\*

### DECISION (ATTORNEYS' FEES)

On January 12, 2009, the petitioner submitted an application seeking an award for fees and costs incurred in this case filed under the National Vaccine Injury Compensation Program. The application sought a total of \$ 33,640.37.

On February 3, 2009, petitioner's counsel reported to my law clerk that, after settlement discussion, petitioner's counsel was reducing his total request to \$ 32,000. Respondent's counsel separately reported to my law clerk, also on February 3, 2009, that respondent would not be objecting to the amended request.

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<sup>1</sup>This document will not be sent to electronic publishers as a formally "published" opinion. However, because this document contains a reasoned explanation for my action in this case, I intend to post this document on the United States Court of Federal Claims' website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913. Therefore, each party has 14 days within which to request redaction "of any information furnished by that party (1) that is trade secret or commercial or financial in substance and is privileged or confidential; or (2) that includes medical files or similar files, the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, this entire document will be available to the public. *Id.* See also 42 U.S.C. § 300aa-12(d)(4)(B).

The total figure now requested, \$ 32,000, seems reasonable and appropriate. Pursuant to 42 U.S.C. § 300aa-15, I hereby award a lump sum of \$32,000 in the form of a check payable jointly to petitioner and petitioner's counsel, Altom M. Maglio, on account of services performed by counsel's law firm and costs expended by that firm.

In the absence of a timely-filed motion for review of this Decision under Vaccine Rule 23, the clerk shall enter judgment in accordance herewith.

/s/ George L. Hastings, Jr.

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George L. Hastings, Jr.  
Special Master